

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82328 of 2023

Arising Out of PS. Case No.-10 Year-2020 Thana- BANKA District- Banka

Nawal Kishor Yadav @ Abhishek Anand Son Of Late Sikandar Yadav
Resident Of Village Majlishpur, Police Station Banka, District Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Banka P.S. Case No. 10 of 2020, registered for the offences punishable under Sections 147, 149, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act and Sections 3/4 of Explosive Substance Act.

3. As per the prosecution case, on the alleged date of occurrence, all the accused persons including the petitioner herein had loaded sand illegally on their tractors and were going towards Dhaka More and when the informant had tried to stop them, they abused him and had fired in the air from their pistol, threw bomb as well as threatened to kill the informant.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence and he



has falsely been implicated in this case. He further submits that no specific allegation has been alleged against the petitioner. He also submits that admittedly nobody has been injured in the alleged occurrence and there is no injury report on the record. It is also submitted that similarly situated co-accused persons, namely, Sharad Yadav and Kamal Yadav have been granted anticipatory bail by the Coordinate Bench of this Court vide order dated 19.10.2020 passed in Cr. Misc. No. 26300 of 2020. Petitioner has one criminal antecedent and he is in jail custody since 21.08.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/Court concerned, Banka in connection with Banka P.S. Case No. 10 of 2020.

(Sunil Dutta Mishra, J)

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